

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

DAVID VOGL,	:	
Plaintiff	:	CIVIL ACTION NO. 1:19-924
v.	:	(MANNION, D.J.) (CARLSON, M.J.)
HOMELAND , et al.,	:	
Defendants	:	

ORDER

As set forth in the Memorandum issued this same day, **IT IS HEREBY**

ORDERED THAT:

- (1)** Judge Carlson's report and recommendation, **(Doc. 81)**, is **ADOPTED IN ITS ENTIRETY**;
- (2)** the motion for summary judgment of Homeland, **(Doc. 62)**, is **GRANTED, IN PART**, and **DENIED, IN PART**;
- (3)** the motion for summary judgment of Homeland, **(Doc. 62)**, regarding Vogl's ADEA and FMLA claims raised in her complaint, **(Doc. 1)**, is **GRANTED**, and **JUDGMENT** is entered in favor of Homeland and against Vogl with respect to these two claims;
- (4)** the motion for summary judgment of Homeland is **DENIED** with respect to Vogl's Title VII retaliation claim and her ADA failure

to accommodate claim, and these two claims will **PROCEED**;
and

- (5)** by separate Order, the court will schedule a final pre-trial conference in this case.

s/ Malachy E. Mannion

MALACHY E. MANNION
United States District Judge

Dated: October 4, 2022

18-1401-04-ORDER